

Summons in a Civil Action (Rev 11/97)

**United States District Court**  
**SOUTHERN DISTRICT OF CALIFORNIA**

FILED

2008 JAN 22 AM 10:58

CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

YMA  
DEPUTY

**SUMMONS IN A CIVIL ACTION**

Case No.

**07 CV 2388 DMS POR**

Michael T Fox

vs

Federal Bureau of Investigations  
United States Attorneys Office  
United States Justice Department

TO: (Name and Address of Defendant)

Federal Bureau of Investigations  
9797 Aero Rd.  
San Diego CA. 92138

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and  
serve upon PLAINTIFF'S ATTORNEY

Plaintiff

Michael T. Fox  
General Delivery  
San Diego CA. 92138

Waiting on  
Judge to  
Appoint Counsel

An answer to the complaint which is herewith served upon you, within 60 days after  
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment  
by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

ARVAUN VICTORIA



DATE

12/20/07


By

, Deputy Clerk

Summons in a Civil Action

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RETURN OF SERVICE			
Service of the Summons and Complaint was made by me:		DATE <u>12/20/07</u> <u>9:11:58 AM</u> <small>2000 JAN 22 PM 4:38</small>	
NAME OF SERVER <u>BRECK MAM</u>		TITLE <u>PROCESS SERVER</u> <small>SOUTHERN DISTRICT OF CALIFORNIA</small>	
Check one box below to indicate appropriate method of service			
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>FEDERAL BUREAU OF INVESTIGATION</u> <u>9797 AERO DRIVE</u> <u>SAN DIEGO, CA 92123</u> Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:  Name of person with whom the summons and complaint were left: _____  Return unexecuted: _____			
<input checked="" type="checkbox"/> Other (specify): <u>PERSON SERVED</u> <u>GARY BERSZEWSKI</u> <u>ASST DISTRICT COUNSEL</u>			
STATEMENT OF SERVICE FEES			
TRAVEL		SERVICES	TOTAL <u>00.00</u> <small>00.00</small>
DECLARATION OF SERVER			
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.			
Executed on: <u>12/20/07</u>		 Signature of Server	
Date		<u>PO BOX 15712 SAN DIEGO, CA 92170</u> Address of Server	
NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE			
IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u>			
YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.			
JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.			

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure